

VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. (Amended) A biological specimen collection apparatus for use with a support structure, said apparatus comprising a receptacle for catching a biological specimen and a non-planar support bracket comprising a generally U-shaped portion for supporting the receptacle, [wherein the support bracket comprises an aperture, wherein the receptacle comprises a boss that snugly fits, but is removably engageable from, said aperture, and] wherein said support bracket is adapted to be supported by said support structure, and is adjustably disposed for positioning in a direction selected from forward and rearward with respect to said support structure when supported by said support structure, by a seated individual supported by said support structure, and said support bracket further comprises oppositely extending ends that extend sufficiently beyond said support structure for said [convenient] positioning to be convenient for collection of a stool specimen in said receptacle [of said support bracket and hence of said receptacle by an individual seated on said support structure].

2. (Twice Amended) The apparatus of claim 1, wherein said support structure is a toilet bowl, and said support bracket is [ends are] supported by said support structure, and the individual is seated on a seat supported by said support structure, and a gap between said seat and support structure assists [provides for] the support bracket adjustability.

3. (Amended) The apparatus of claim 1, wherein said receptacle has [is] an elongated catch shape [receptacle], wherein said generally U-shaped portion of said support bracket [aperture] is provided with a generally circular aperture, and said receptacle comprises a boss that is rotatable within said aperture for adjustability of the catch position of said receptacle.

4. (Twice Amended) The apparatus of claim 1, further comprising a sterile collection cup, wherein said receptacle comprises a boss that corresponds to a generally cup-shaped

cavity in a bottom wall of said receptacle, of an appropriate size for receiving at least a lower portion of said cup.

5. (Twice Amended) The apparatus of claim 1, wherein said generally U-shaped portion of said support bracket [is non-planar and is positioned], when said support bracket is supported by said support structure, comprises a generally horizontal area, and [so that] said receptacle is supported by said generally horizontal area and is positioned vertically in space to avoid body contact during specimen collection but facilitate capture of the specimen.

6. (Amended) A biological specimen collection apparatus for use with a support structure, said apparatus comprising a [an] [elongated] receptacle having an elongated catch shape for catching a biological specimen and a support bracket for the receptacle, wherein the support bracket comprises a generally U-shaped portion provided with an aperture and is adapted to be supported by said support structure, and wherein the receptacle comprises a boss that snugly fits, but is [rotatable within and] removably engageable from, said aperture, and said receptacle boss is rotatable within said aperture for adjustability of the catch position of the receptacle.

7. (Amended) The apparatus of claim 6, further comprising a collection cup, wherein said receptacle boss corresponds to a generally cup-shaped cavity in a bottom wall of said receptacle, of an appropriate size for receiving at least a lower portion of said [a] cup.

8. (Twice Amended) The apparatus of claim 6, wherein said support bracket is non-planar and said generally U-shaped portion of said support bracket [is positioned], when said support bracket is supported by said support structure, comprises a generally horizontal area provided with said aperture, and [so that] said receptacle is supported by said generally horizontal area and is positioned vertically in space to avoid body contact during specimen collection but facilitate capture of the specimen.

9. (Amended) The apparatus of claim 6, wherein said elongated catch shape is a horizontally elongated catch shape when said receptacle is in supported engagement with said bracket [comprises a U-shaped portion].

10. (Amended) The apparatus of claim 6 [9], wherein said elongated catch shape is generally elliptical, and said generally U-shaped portion of said bracket comprises a pair of spaced apart legs that are spaced apart sufficiently to accommodate any position of said elongated receptacle relative to said bracket.

11. (Amended) A biological specimen collection apparatus for use with a support structure, said apparatus comprising a receptacle for catching a biological specimen, [and] a support bracket for the receptacle, and a collection cup, wherein the support bracket comprises a generally circular aperture and is adapted to be supported by said support structure, wherein the receptacle comprises a generally frustoconically shaped boss that snugly fits, but is rotatable within and removably engageable from, said aperture, and wherein said receptacle boss corresponds to a generally frustoconically shaped cavity in a bottom wall of said receptacle, of an appropriate diameter for receiving at least a lower portion of said [a] cup.

12. (Amended) The apparatus of claim 11, wherein said support bracket is adjustably disposed for forward/rearward positioning with respect to said support structure when supported by said support structure, by a seated individual supported by said support structure, and comprises ends that extend sufficiently beyond said support structure for said [convenient] positioning of said support bracket and hence of said receptacle [by an individual seated on said support structure].

13. (Twice Amended) The apparatus of claim 11, wherein said support bracket is non-planar and said generally U-shaped portion of said support bracket [is positioned], when said support bracket is supported by said support structure, comprises a generally horizontal area provided with said aperture, and [so that] said receptacle is supported by said generally horizontal

area and is positioned vertically in space to avoid body contact during specimen collection but facilitate capture of the specimen.

14. (Twice Amended) The apparatus of claim 11, [further comprising said cup,] wherein said cup is a sterile cup.

15. (Twice Amended) The apparatus of claim 11, wherein said receptacle has an [is] elongated catch shape, and said bracket comprises a generally U-shaped portion, and said generally U-shaped portion comprises a pair of spaced apart legs that are spaced apart sufficiently to accommodate any position of said elongated receptacle relative to said bracket.

16. (Amended) A biological specimen collection apparatus in combination [for use] with a support structure, said apparatus comprising a removably disposed receptacle for catching a biological specimen and a non-planar bracket for supporting the receptacle, wherein a portion of the receptacle projects through said support bracket and the receptacle is removable from the support bracket, and wherein said support bracket is supported by said support structure and is adjustably disposed for positioning in a direction selected from forward and rearward with respect to said support structure [when supported by said support structure,] by a seated individual on a seat that overhangs and is supported by said support structure, and said support bracket comprises oppositely extending ends that extend sufficiently beyond said support structure for said [convenient] positioning to be convenient for collection of a stool specimen in said receptacle [of said support bracket and hence of said receptacle by an individual seated on said support structure].

17. (Amended) The apparatus of claim 16, wherein said support structure is a toilet bowl, [and said support bracket ends are supported by said support structure, and the individual is seated on a seat supported by said support structure,] and a gap between said seat and support structure assists [provides for] the support bracket adjustability.

18. (Amended) A biological specimen collection apparatus for

use with a support structure, said apparatus comprising a [an elongated] receptacle having an elongated catch shape for catching a biological specimen, and a bracket for supporting the receptacle and adapted to be supported by said support structure, wherein the receptacle is rotatably mounted with respect to said support bracket for adjustability of the catch position of the receptacle, and a portion of the receptacle projects through, but is removably engageable from, said support bracket [for removal of the receptacle from said support bracket], and wherein said support bracket is further adapted to accommodate any position of the elongated, rotatably mounted receptacle relative to said bracket.

19. (Amended) The apparatus of claim 18, further comprising a collection cup, wherein the projecting portion of the receptacle corresponds to a generally cup-shaped cavity in a bottom wall of the receptacle, and is dimensioned to provide a snug fit of the receptacle to said support bracket.

20. (New) The apparatus of claim 16, wherein said receptacle has an elongated catch shape, and the projecting receptacle portion rotatably projects through said support bracket for adjustability of the catch position of the receptacle.

### REMARKS/ARGUMENTS

All claims have been amended. Dependent claim 20 is new. No claim has been cancelled.

Main claim 1 has been broadened by deletion of the bracketed language relating to the support bracket, and by specifying "a seated individual supported by the support structure" instead of "seated on". Main claim 1 has been further defined by insertion of "nonplanar" with support in claim 5, by specifying a support bracket "comprising a generally U-shaped portion for supporting" with support at page 6, lines 20-21, by further defining positioning of the support bracket with support at page 9, lines 25-26, by defining the support bracket ends as oppositely extending with support in the drawing, and by defining that the ends extend sufficiently for the specified positioning to be convenient "for collection of a stool specimen" with support at page 4, lines 11-15. Certain of these changes have also been made to main claim 16 and dependent claim 12; and in addition, claim 16 specifies the apparatus in combination with a support structure, wherein the support bracket is supported by the support structure, and that the seat overhangs the support structure (with support in Figure 2 of the drawing).

Dependent claim 2 has been broadened by deletion of "ends are", and also by replacement of "provides for" with "assists". Dependent claim 17 has been similarly broadened.

Dependent claim 3 now specifies that the receptacle has "an elongated catch shape" with support at page 5, line 14, that the "generally U-shaped portion" of the support bracket is provided with the aperture, with support in the drawing, and that the receptacle boss is rotatable within the aperture "for adjustability of the catch position of the receptacle" with support at page 5, lines 14-15. Certain of these changes have also been made to main claims 6 and 18, and certain of this subject matter is found in newly added claim 20.

Dependent claims 5, 8 and 13 now specify that the generally U-shaped portion of the support bracket, when the

support bracket is supported by the support structure, comprises a generally horizontal area and that the receptacle is supported by the generally horizontal area, with support at page 6, lines 19-27.

Dependent claim 9 now specifies that the elongated catch shape is a horizontally elongated catch shape when the receptacle is in supported engagement with the bracket, with support in Fig. 2, for instance. Dependent claim 10 now specifies a generally elliptical elongated catch shape, with support at page 6, line 2.

Dependent claim 11 has been amended by insertion of subject matter from claim 14.

In Paragraphs Nos. 2, 3 and 4, claims 6 to 8 are rejected under 35 USC 102(b) as being anticipated by Van Duyne, by Kroeger, and by Bertelson, respectively. These rejections are traversed, and furthermore are all clearly overcome by insertion of the subject matter of non-rejected dependent claim 9 into main claim 6.

Furthermore, claim 6 is further amended to specify that the receptacle has an elongated catch shape, and includes a boss that is rotatable within the bracket aperture for adjustability of the catch position of the receptacle. By comparison, none of this prior art discloses or suggests this advantage of the present invention. For instance, there is no rotatability of receptacle 17 of Bertelson, which does have an elongated catch shape.

In view of the foregoing, claim 6 is believed to be clearly patentable over any of this prior art. Accordingly, withdrawal of these rejections is believed to be in order and herewith requested.

In Paragraph No. 5, claims 1-13 and 15-19 are rejected under 35 USC 102(e) as anticipated by Stingley. This rejection is respectfully traversed, and furthermore is clearly overcome as now explained.

With respect to main claims 1 and 16, Stingley's

support structure (110,120) is clamped in use. See col. 2, lines 55-57, of Stingley. Thus, assuming arguendo that forward or rearward positioning of support structure (110,120) when supported is possible, support structure (110,120) cannot be positioned forwardly or rearwardly by a seated individual on the toilet bowl seat. This inventive advantage allows the receptacle to be out of the way of a urine stream until urination is in progress, and then moved into position to collect a midstream urine sample (see page 10, line 31 to page 11, line 1). Furthermore, it is noted that the Examiner's comments make no claim that ends (110) extend sufficiently for positioning of support structure (110,120); whereas claims 1 and 16 specify that the bracket ends extend sufficiently beyond the support structure for the positioning to be convenient for collection of a stool specimen in the receptacle, it being of course recognized that these claims are in no way limited to collecting a stool specimen. Also attention is invited to dependent claims 2 and 17. In view of the foregoing, main claims 1 and 16 are believed to be clearly patentable over Stingley. Accordingly, withdrawal of this rejection against main claims 1 and 16 is believed to be in order and herewith requested.

With respect to dependent claim 3, main claim 6, main claim 18, and new dependent claim 20 (dependent on main claim 16), cup (300) of Stingley lacks an elongated catch shape, and the claimed receptacle advantageously includes a boss that is rotatable within the bracket aperture for adjustability of the catch position of the receptacle (claims 3 and 6), or the claimed receptacle advantageously is rotatably mounted with respect to the support bracket or a portion of the receptacle rotatably projects through the support bracket for adjustability of the catch position of the receptacle (main claim 18 and dependent claim 20). Thus, dependent claim 3 is believed to be further patentable over Stingley, and main claims 6 and 18 are believed to be patentable over Stingley. Furthermore, as will be understood, dependent claim 20 is believed to be further



patentable over Stingley. Accordingly, withdrawal of this rejection against dependent claim 3 and main claims 6 and 18 is believed to be in order and herewith requested.

With respect to dependent claims 4 and 7, Stingley lacks the claimed combination of a receptacle and a collection cup, and furthermore these claims cover a receptacle that includes a boss that corresponds to a cavity for receiving a portion of the cup. Specifically, according to the Examiner's comments, features (110,120) of Stingley constitute a generally U-shaped support structure (see main claims 1 and 6, on which claims 4 and 7 are respectively dependent, in this respect); and cup (300) is applicant's claimed receptacle. By comparison, claims 4 and 7 further specify a collection cup (shown in Fig. 4). No basis is seen in Stingley, as argued by the Examiner, for the advantageous combination of a receptacle and a collection cup. Thus, dependent claims 4 and 7 are believed to be further patentable over Stingley. Accordingly, withdrawal of this rejection against dependent claims 4 and 7 is believed to be in order and herewith requested.

With respect to main claim 11, main claim 11 specifies the advantageous combination of a receptacle comprising a boss that snugly fits, but is rotatable within the support bracket aperture, a collection cup, and a boss that corresponds to a cavity for receiving a portion of the cup. If bag element (120) is taken as the claimed receptacle, it is evident that bag element (120), which is mounted by attachment to element (110), is not rotatable within element (110). Furthermore, bag element (120) lacks the claimed boss. On the other hand, if cup (300) is taken as the claimed receptacle, no basis is seen in Stingley for a further collection cup. Thus, main claim 11 is believed to be patentable over Stingley. Accordingly, withdrawal of this rejection against main claim 11 is believed to be in order and herewith requested.

With respect to patentability of dependent claim 12, attention is invited to the discussion with respect to claim 1.

Based thereon, dependent claim 12 is believed to be further patentable over Stingley.

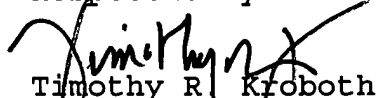
In Paragraph No. 7, claim 14 is rejected under 35 USC 103(a) as being unpatentable over Stingley. This rejection is respectfully traversed, and attention is invited to the foregoing comments concerning claim 11, which now specifies the cup.

The other art cited by the Examiner has been reviewed, and the following comments are provided. Bressler et al includes a plurality of mount strips 33, one of which (see Figs. 1 and 2) restrains rearward positioning of the collection apparatus. Also, according to col. 3, lines 30-33, the seat overlies the support strips for retaining them against accidental displacement and for maintaining the body 13 centrally of the toilet bowl. Dale discloses at col. 2, lines 42-44, that a rigid reusable member can be employed to rest on the toilet bowl edges and carry the collector on a central depressed portion; however, referring to Figs. 3 and 4 of Dale, the support structure ends do not extend beyond the support structure, and no disclosure is seen in Dale of positioning of the support structure by a seated individual supported by the support structure.

Also attention is drawn to a telephone conference of December 10 with the Examiner by which the undersigned pointed out that the Examiner's initials were missing next to Reference AR on applicants PTO-1449, and faxed to the Examiner on that date a courtesy copy of Reference AR and requested that the omission be corrected.

In view of the foregoing it is believed that all claims are patentable, and it is requested that a Notice of Allowance be issued. The Examiner is invited to telephone the undersigned at the below-listed number, if needed.

Respectfully submitted,

  
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